

HAWKLEY PARISH COUNCIL

PLANNING COMMITTEE

MINUTES OF MEETING OF HELD
WEDNESDAY 9TH MAY 2018 AT 6.30PM IN
HAWKLEY PARISH HALL

Draft

PRESENT: Geoff Brighton; Jo Humphrey; Jilly Caesar.
Also David Caukill.
Sue Harwood (Clerk) was in attendance.

1) Apologies

None.

2) Minutes of meeting of 7th March 2018

These were accepted as a true record of the meeting.

3) Declarations of Interest

None declared

4) Representations from members of the public

None.

5) Planning Applications:

Woodhill, The Hollow, Hawkley GU33 6LX

SDNP/18/01787/TCA - TIAsh – Fell

No objection

Fordes Cottage, Oakshott, Hawkley GU33 6LS

SDNP/18/01838/HOUS - Replacement garden outbuilding following partial demolition of existing

No objection

Quarry Farm, Empshott Green Lane, Hawkley GU33 6HU:

SDNP/18/02126/APNB Prior notification of Agricultural or Forestry Development – barn for hay storage

No objection

SDNP/18/02105/APNR Notification for prior approval – proposed road to provide access to agricultural barn (see above)

No objection

SDNP/18/02127/APNB Prior notification of Agricultural or Forestry development – barn for storage of tractors and other agricultural machinery and equipment;

No objection

SDNP/18/02106/APNR Application for prior notification – proposed road- to provide access to barn for storage of tractors and other agricultural machinery and equipment (see above)

No objection

Mobile Home 1 Half Acre Hawkley Road Hants GU33 6JS:

SDNP/18/00440/CND Removal of conditions 2, 3 and 7 on planning consent

SDNP/17/00873/CND to make the temporary permission permanent;

SDNP/18/00441/CND Removal of conditions 3 and 4 on planning consent

SDNP/17/01406/FUL to make the temporary permission permanent.

Objection to both applications.

- 1) These are the most recent in a series of applications for permission to occupy the Half Acre site over the last 10 years. These new applications provide no

new facts or evidence about the circumstances of the occupants, the site, nor the availability of other sites nor do they suggest any change in applicable law since the last refusal of permission, less than six months ago, (under SDNP/17/00873//FUL and SDNP/17/01406/FUL) So there is nothing in these applications that the SDNPA would not have been aware of when its Planning Committee refused permanent permission after careful deliberation in December 2017 and certainly nothing that should cause the SDNPA now to change that considered view.

- 2) The Planning Statement submitted with each application appears to be a hurried compilation of sections copied from material prepared for various other purposes copied without proper review of completeness nor relevance to the current applications. This has been a developing area of law over the last few years but in places the document relies on statements of law or guidance which have either been withdrawn or superseded. For example, it refers to a 2008 decision as 'recent' (para 40) and seeks to rely on Circular 1/2005. Further, the Planning Statement appears incomplete. There are references to Appendices which are not appended; the paragraph numbering is not complete; there appear to be both missing and repeated paragraphs.
- 3) The Planning Statement relies heavily on an assertion that the SDNPA has failed in its duty to demonstrate an up-to-date 5 year supply of deliverable sites is determinative of an obligation to grant permanent permission. This is despite the fact that PTTS 2015 provides National Parks with an express exemption from this requirement, one which anyway is only relevant in consideration of a grant of temporary permission. (Para 27 Footnote 9: "There is no presumption that a temporary grant of planning permission [...i.e. one based upon and absence of a five year supply....] should be granted permanently.").
- 4) Hawkey Parish Council has written several times in connection with this site and will not repeat earlier submissions. Rather, we refer you to our consultation responses dated 12th April 2017 under SDNP/17/00873//FUL and SDNP/17/01406/FUL which are available on your planning portal.
- 5) Site drainage is an express concern identified by the SDNPA in considering allocation of this site in the draft Local Plan
The occupants appear to have addressed this by excavating a grip, or trench, draining the site through the hedgerow and out on to (and flooding and undercutting the surface of) the adjacent Snailing Lane which recently was repaired by Hampshire Highways at considerable expense.
Draining a residential site onto the highway in this manner should be a matter of concern for Hampshire Highways, EH Drainage and Flood Water Protection. Having read their consultation responses, we have concluded that they must be unaware of this arrangement. Please bring it to their attention. If it is the case that the site cannot be adequately drained without spilling it out onto and under cutting the highway's surface this is a matter of considerable concern - and it undermines one of the conditions for the site's proposed allocation in the draft SDNP Local Plan.
- 6) Finally, the Planning Statement submitted by the applicant suggests in para 50 that consultation in respect of the Local Plan is now closed - on the contrary, the process is on-going. We also refer you to our letter to the SDNPA commenting on the Draft Local Plan which we anticipate discussing with the Inspector in due course.
- 7) In conclusion, the basis of the LPA's and the SDNPA Planning Committee's decision making hitherto has been that the current personal circumstances of

the occupants are more important than and temporarily override the acknowledged harm that the site does to the environment. That was the basis upon which the SDNPA Planning Committee agreed a temporary permission in December 2017. Less than 6 months have passed and yet the applicant has submitted these new applications adducing no new evidence nor new legislation that the Authority would not have considered at the time it refused permanent permission. Accordingly, the parish council believes this application should also be refused.

- 8) There are no grounds to consider a grant of unrestricted permission for occupation by travellers generally. It would be a travesty to grant permanent permission – a decision that will prevail in perpetuity – justified only by the ever changing personal circumstances of its current, mortal occupants.

The meeting closed at 6.45pm.

Chairman

Date